

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FRANZ LINDLBAUER

Serial No.: 10/598,848

Filed: September 13, 2006

For: MULTI-WALLED SACK-TYPE PACKAGING

Attorney Docket No.: WAS 0808 PUSA

Group Art Unit: 3728

Examiner: Andrew D. Perrault

COMMUNICATION

Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Consideration of the references cited in Applicant's Information Disclosure Statement of July 27, 2009 is respectfully requested.

In the Communication from the Office dated September 8, 2009, the Office construes the two statements in the Information Disclosure Statement and the Information Disclosure Statement and Certification as being conflicting, but that is not the case. Although the language is different, both statements indicate that the references cited were not cited in a Foreign Office Action more than 3 months previous. In this case, the references were cited by the Japanese Patent Office and have been cited to the United States Patent and Trademark Office within three months.

Furthermore, the "explanation" of Dr. Schuderer does not conflict with the statement in the Information Disclosure Statement regarding materiality. The latter indicates that citation is not to be construed as meaning that the references are material, while the statement by Dr. Schuderer (who is a European patent attorney, not a U.S. patent attorney) merely states that the references "may" be material, i.e. that they also "may not" be material.

Enclosed is an English translation of the JP 60146042 published application abstract and drawing description. No English language translation was available to Applicant, so Applicant have had these portions translated.

Consideration is respectfully requested. No addition fee is believed due, but if this is incorrect, the Commissioner is hereby authorized to charge any additional fees to our Deposit Account No. 02-3978.

Respectfully submitted,

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Date: October 6, 2009

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Attachment: English translation

(19) Japan Patent Office (JP)
(12) Japanese Unexamined Utility
Model Application Publication (U)

(11) Utility Model
Application Laid-Open No.
S '60-146042

Int. Cl. Identification Symbol Internal Reference No. (43) Published date:
B 65 D 33/01 7234-3E September 27, 1985
36/08 7234-3E
Request for examination: not requested (total of 2 pages)

(54) Title of the Device: MULTILAYER PAPER BAG

(21) Application Number: S59-31736

(22) Filing date: March 7, 1984

(72) Inventor: Sekio Ishikawa 6-5, Tamase-cho, Ibaragi-shi

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(57) Claim

A multilayer paper bag where a synthetic resin tubular film or a synthetic resin film is interposed between layers throughout an entire circumference, wherein oblique cut lines are made in a plurality of sections on the synthetic resin film surface.

Brief Description of Drawings

Fig. 1 is a partially-slashed front view showing one example of the multilayer bag relating to the present device; Fig. 2 is an enlarged transverse plan view in the A-A' line of Fig. 1; and Fig. 3 is an explanatory diagram for primary components [*Translator's note: there is no description for Fig. 4*].

The symbol 1 represents an outermost layer base paper, 2 represents an innermost layer base paper, 3 represents a synthetic resin tubular film, 4 represents a pulp opening, 5 and 5' represent stitching, 6, 6 and 6 represent an oblique notch line, and 7 represents a multilayer bag.

Fig. 1

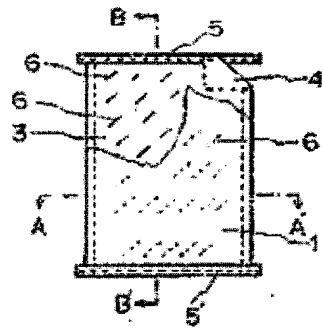


Fig. 2

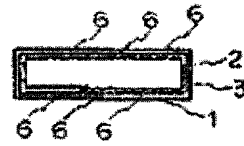


Fig. 3

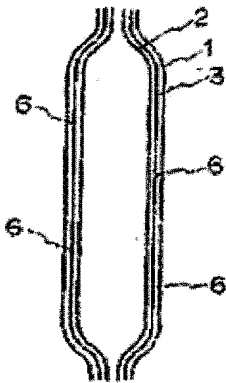


Fig. 4

